

## 1 OLD FORGE BOROUGH COUNCIL MEETING

2  
3 Old Forge Borough Building  
4 314 South Main Street  
5 Old Forge, Pennsylvania

6 *Tuesday*  
7 ~~Thursday~~, June 21, 2016

8 7:00 p.m.

9 MEMBERS PRESENT: ROBERT SEMENZA, CHAIRPERSON  
10 JEN CORDIANO, COUNCIL MEMBER  
11 JOSEPH LENCESKI, COUNCIL MEMBER  
12 DEVON BROWN, COUNCIL MEMBER  
13 RUSSELL RINALDI, COUNCIL MEMBER  
14 LOU FEBBO, COUNCIL MEMBER

15  
16 ALSO PRESENT:

17 MAYOR ROBERT MULKERIN  
18 MARYLYNN BARTOLETTI - BOROUGH MANAGER  
19 WILLIAM RINALDI, ESQ.-SOLICITOR  
20 DAVE LOPATKA - ENGINEER

21 Janet E. Smith

22 Court Reporter

23 (570) 650-0753  
24  
25

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ORIGINAL

## P-R-O-C-E-E-D-I-N-G-S

MR. SEMENZA: Welcome to the June 21st meeting. Call the meeting to order with the Pledge of Allegiance.

(Pledge of Allegiance.)

MR. SEMENZA: Good evening, ladies and gentlemen. Welcome, like I said, to the June 21st, 2016 Old Forge Borough Council meeting. Roll call, please, Marylynn.

MS. BARTOLETTI: Councilman Brown.

MR. BROWN: Glad to be on site.

MS. BARTOLETTI: Councilman Coriando.

MS. CORIANDO: Here.

MS. BARTOLETTI: Councilman Febbo.

MR. FEBBO: Here.

MS. BARTOLETTI: Councilman Ferrett is absent. Councilman Rinaldi.

MR. RINALDI: Here.

MS. BARTOLETTI: Councilman Lenceski.

MR. LENCESKI: Here.

MS. BARTOLETTI: Councilman Semenza.

MR. SEMENZA: Here. The reason for tonight's meeting is to go to our department heads, go through some housekeeping. There's a public sign-in sheet for anyone who would like to address council on

1 the table and talk to each councilman and see if they  
2 have anything to address us with.

3 The first motion is to approve the  
4 minutes of the prior meeting.

5 MR. BROWN: I'd like to make that motion.

6 MR. SEMENZA: Motion on the floor by  
7 Councilman Brown. Could I have a second?

8 MR. FEBBO: Second that.

9 MR. SEMENZA: Seconded by Councilman  
10 Febbo on the question. Public input. Roll call,  
11 please.

12 ATTORNEY BILL RINALDI: Mr. Brown.

13 MR. BROWN: Yes.

14 ATTORNEY BILL RINALDI: Ms. Cordiano.

15 MS. CORDIANO: Yes.

16 ATTORNEY BILL RINALDI: Mr. Febbo.

17 MR. FEBBO: Yes.

18 ATTORNEY BILL RINALDI: Mr. Rinaldi.

19 MR. RUSSELL RINALDI: Yes.

20 ATTORNEY BILL RINALDI: Mr. Lenceski.

21 MR. LENCESKI: Yes.

22 ATTORNEY BILL RINALDI: Mr. Semenza.

23 MR. SEMENZA: Yes. Chair would entertain  
24 a motion to approve the treasurer's reports. Note  
25 this does not include sewer accounts.

1 MR. RUSSELL RINALDI: I'll make that  
2 motion.

3 MR. SEMENZA: Motion on the floor by  
4 Councilman Rinaldi. Could I have a second?

5 MR. BROWN: Second that motion.

6 MR. SEMENZA: Seconded by Councilman  
7 Brown on the question. Public input. Roll call,  
8 please.

9 ATTORNEY BILL RINALDI: Mr. Brown.

10 MR. BROWN: Yes.

11 ATTORNEY BILL RINALDI: Ms. Cordiano.

12 MS. CORDIANO: Yes.

13 ATTORNEY BILL RINALDI: Mr. Febbo.

14 MR. FEBBO: Yes.

15 ATTORNEY BILL RINALDI: Mr. Rinaldi.

16 MR. RUSSELL RINALDI: Yes.

17 ATTORNEY BILL RINALDI: Mr. Lencieski.

18 MR. LENCIESKI: Yes.

19 ATTORNEY BILL RINALDI: Mr. Semenza.

20 MR. SEMENZA: Yes. Chairman entertain a  
21 motion to approve invoices for payment. Note this does  
22 not include sewer accounts.

23 MS. CORDIANO: Make that motion.

24 MR. SEMENZA: Motion on the floor by  
25 Councilman Cordiano. Could I have a second?

1 MR. LENCESKI: Mr. Chairman, I'll second  
2 that.

3 MR. SEMENZA: Seconded by Councilman  
4 Lenceski on the question. Public input. Roll call.

5 ATTORNEY BILL RINALDI: Mr. Brown.

6 MR. BROWN: Yes.

7 ATTORNEY BILL RINALDI: Ms. Cordiano.

8 MS. CORDIANO: Yes.

9 ATTORNEY BILL RINALDI: Mr. Febbo.

10 MR. FEBBO: Yes.

11 ATTORNEY BILL RINALDI: Mr. Rinaldi.

12 MR. RUSSELL RINALDI: Yes.

13 ATTORNEY BILL RINALDI: Mr. Lenceski.

14 MR. LENCESKI: Yes.

15 ATTORNEY BILL RINALDI: Mr. Semenza.

16 MR. SEMENZA: Yes. Fifth motion is a  
17 motion to approve sewer department financial reports.

18 MR. RUSSELL RINALDI: I'll make that  
19 motion.

20 MR. SEMENZA: Motion on the floor by  
21 Councilman Rinaldi. Could I have a second?

22 MR. BROWN: I'll make that second.

23 MR. SEMENZA: Seconded by Councilman  
24 Brown on the question. Public input. Roll call,  
25 please.

1 ATTORNEY BILL RINALDI: Mr. Brown.

2 MR. BROWN: Yes.

3 ATTORNEY BILL RINALDI: Ms. Cordiano.

4 MS. CORDIANO: Yes.

5 ATTORNEY BILL RINALDI: Mr. Febbo.

6 MR. FEBBO: Yes.

7 ATTORNEY BILL RINALDI: Mr. Rinaldi.

8 MR. RUSSELL RINALDI: Yes.

9 ATTORNEY BILL RINALDI: Mr. Lenceski.

10 MR. LENCESKI: Yes.

11 ATTORNEY BILL RINALDI: Mr. Semenza.

12 MR. SEMENZA: Yes. The sixth motion is a  
13 motion to approve sewer department invoices for  
14 payment.

15 MR. RUSSELL RINALDI: Mr. Chairman, I'll  
16 make that motion as well.

17 MR. SEMENZA: Motion on the floor by  
18 Councilman Rinaldi. Do I have a second?

19 MR. BROWN: Mr. Chairman, I'll second  
20 that motion.

21 MR. SEMENZA: Seconded by Councilman  
22 Brown on the question. Public input. Roll call,  
23 please.

24 ATTORNEY BILL RINALDI: Mr. Brown.

25 MR. BROWN: Yes.

1 ATTORNEY BILL RINALDI: Ms. Cordiano.

2 MS. CORDIANO: Yes.

3 ATTORNEY BILL RINALDI: Mr. Febbo.

4 MR. FEBBO: Yes.

5 ATTORNEY BILL RINALDI: Mr. Rinaldi.

6 MR. RUSSELL RINALDI: Yes.

7 ATTORNEY BILL RINALDI: Mr. Lencieski.

8 MR. LENCIESKI: Yes.

9 ATTORNEY BILL RINALDI: Mr. Semenza.

10 MR. SEMENZA: Yes. Hear from our  
11 department heads now. DPW manager's report, Paul.

12 MR. PAPI: Good evening, everybody. DPW  
13 report for May. A brief description of some of the  
14 things we've done. Can everybody hear me okay?

15 I responded to 63 PA 1 calls for the  
16 month of May.

17 MR. SEMENZA: I don't think it's on.

18 MR. PAPI: We cleaned three storm drains  
19 in front of Andy Baughman's house on Quarry Road. I  
20 was called out on Sunday afternoon to replace a broken  
21 sewer lid on Albion Street.

22 We replaced over 200 feet of storm sewer  
23 line that had collapsed on Robert Galetti's property on  
24 South Grace.

25 I was called out on May 5th to repair a

1 broken lid on West Mary Street. I was called to the  
2 end of Sussex Street for a blocked sewer. It turned  
3 out to be a blocked lateral.

4 We reinstalled a no-parking sign here at  
5 the corner of Henderson and Main. I was called to  
6 resident's home on South Grace to investigate a strong  
7 odor coming from the basement. I was unable to  
8 determine its origin.

9 I called PennDOT six times to report  
10 failed pave cuts on Keyser Avenue, Bridge Street, North  
11 and South Main Street.

12 We cut back vegetation on Millard Street  
13 that was encroaching the road. We installed a new net  
14 on the tennis courts on Marion Street Park and  
15 installed 75 flags on Main Street.

16 I also met with Joe Monyak to address his  
17 concern on traffic problems on Taroli Street. And on  
18 the back page is all the numbers on the vehicles.

19 MR. SEMENZA: Thanks.

20 MR. PAPI: Anybody have any questions?

21 MR. SEMENZA: Anybody have any questions  
22 for Paul? Steve, zoning code enforcement report.

23 MR. BIERYLA: Good evening. The zoning  
24 report for May, we received several calls on permit  
25 information for sheds, pools and fences.



1 We sent the violation letter for tires to  
2 Sohara Auto on Lonesome Road. I spoke with Fine Line  
3 Homes on the new home on Phillips Street several times.

4 Spoke with Bill Senedpedis on a minor  
5 subdivision on Monroe Avenue. At the May planning  
6 meeting, George Parker, engineer for Villa Ink asked  
7 for a 90-day extension for Mountain Road.

8 Planning granted the extension until  
9 August 4th, which is the planning meeting at the 90-day  
10 extension would have put it the third.

11 Spoke with Loraine Holt at 1147 Franklin  
12 Street. She complained of new lighting at Eagle  
13 McClure Field was shining at her house. She was to  
14 meet with Dave Johns about the lights being adjusted.

15 I sent the letter about dog violations to  
16 532 Winter Street. Spoke with Jack Schuback on his new  
17 home he wished to build.

18 Assisted Sandy from Animal Griffin on  
19 animal abuse at 135 Edith Street, lower apartment.  
20 House was a mess. We both reinspected and clutter was  
21 clear and animals okay now.

22 Attempted to contact residents living at  
23 165 Drake Street with no success. A letter to the  
24 landlord was sent out.

25 Called the company for a bin at the Old

1 Forge High School and addressed the furniture being  
2 left on site.

3 Sent a violation letter to Kohler Avenue  
4 on an abandoned car. She didn't have the title. Since  
5 then, the tile has been acquired and the car has been  
6 removed.

7 Stopped a contractor on Reese Street from  
8 working without a permit. Had the garbage removed from  
9 the alley behind Charles Street and high grass cut at  
10 that location.

11 Sent danger building letter to the  
12 property owner at 223 Orchard Street. The roof is  
13 falling in.

14 At the zoning meeting, several setbacks  
15 were granted for the minor subdivision on Monroe  
16 Avenue. Addressed 31 high grass or brush complaints  
17 during the month of May and into June.

18 Collected \$4,754.68 in permit fees.

19 MR. SEMENZA: Anybody have any questions  
20 for Steve?

21 MR. RUSSELL RINALDI: Steve, one quick  
22 question, maybe two. Violations for the tires at  
23 Sohara Auto, what was the violation for?

24 MR. BIERYLA: They got to be in a  
25 building, under cover, because they were just laying

1 behind the building, collecting water and people up on  
2 the hill were complaining of water in the tires, afraid  
3 of mosquitos and the Zika virus.

4 MR. RUSSELL RINALDI: Has nothing to do  
5 with whether it was commercial, residential. I know it  
6 was commercial.

7 But if it's residential or commercial,  
8 it's still the same; correct?

9 MR. BIERYLA: Correct.

10 MR. RUSSELL RINALDI: Tires on any  
11 property that aren't in a building.

12 MR. BIERYLA: Accumulate.

13 MR. RUSSELL RINALDI: What do you mean  
14 accumulated? I know what that means. Does that mean  
15 two?

16 MR. BIERYLA: It all depends what the  
17 neighbor is complaining about. If the guy has two and  
18 they're for his car and outside and they're tires, if  
19 they're complaining, I go knock on the door and tell  
20 them they have to be under cover.

21 MR. RUSSELL RINALDI: If they're not  
22 complaining and you drive by and see a few tires --

23 MR. BIERYLA: I have to physically go and  
24 see them, yes.

25 MR. RUSSELL RINALDI: You would have to

1 see them. There has to be multiple tires?

2 MR. BIERYLA: Yes.

3 MR. RUSSELL RINALDI: Going to be sending  
4 out a lot of letters next month. A lot of property in  
5 Old Forge that have multiple tires.

6 MR. BIERYLA: 31 with high grass. Tires  
7 reaccumulated, we'll get after them too.

8 MR. RUSSELL RINALDI: Okay. I was  
9 curious. Second, the dangerous building on Orchard  
10 Street, is that a house?

11 MR. BIERYLA: Garage.

12 MR. RUSSELL RINALDI: A garage. The roof  
13 falling in.

14 MR. BIERYLA: Yes. Neighbors complained.  
15 They tried to do it neighborly. And he just come in  
16 and said I had enough, I want something done now.

17 So I sent the letter out. So I know he  
18 did speak with Earthworks, well, correlated. I really  
19 didn't know.

20 MR. RUSSELL RINALDI: Only reason I ask,  
21 and I just happen to be driving up George Street the  
22 other day. And if you're going up George Street, up on  
23 the left, going towards GI's Bar but still on the hill,  
24 there's a garage that's completely falling over. Did  
25 they get any notification?

1 MR. BIERYLA: There's a garage? We had  
2 one removed up there.

3 MR. RUSSELL RINALDI: As of like four  
4 days ago.

5 MR. BIERYLA: No. As of like three  
6 months ago.

7 MR. RUSSELL RINALDI: I drove up four  
8 days ago and noticed one. I was just curious if,  
9 again, if one person is going to get a letter for a  
10 dilapidated garage --

11 MR. BIERYLA: Once again, I got a  
12 complaint, so I addressed it. May and June has been  
13 high grass. That was my biggest concern, not looking  
14 for dilapidated garages.

15 If I get the complaint, I'm on it. Just  
16 so happened that -- I know you wouldn't want to be next  
17 to a neighbor with three-foot grass. That was the  
18 biggest issue right now. The building isn't going to  
19 run away.

20 MAYOR MULKERIN: What was the status of  
21 that house you were addressing issues with that -- off  
22 Pittston Avenue, below Keyser Avenue, the house in the  
23 middle.

24 MR. BIERYLA: They have until July 8 and  
25 then go to the magistrate. They did clean out some

1 cars. They made a very little attempt at the yard.

2 I've been out there every 14 days  
3 documenting what they did. Very little documentation.

4 MAYOR MULKERIN: July 8th.

5 MR. BIERYLEA: Just because we had a bunch  
6 of rain, and I know you can't really do nothing.

7 MAYOR MULKERIN: Okay. Thanks, Steve.

8 MR. RUSSELL RINALDI: It's all I have.

9 MR. BROWN: My question, Steve. I know  
10 on the property on Sussex Street, wondering if we've  
11 gotten in touch with the owner pertaining to if he got  
12 a letter saying the property was condemned, was due to  
13 either sell the building, have it torn down.

14 MR. BIERYLEA: I did not get ahold of Mr.  
15 Swadis.

16 MR. BROWN: All right.

17 MR. BIERYLEA: Like I said, with the high  
18 grass, kind of went to the waylay a little bit, because  
19 a lot of people were complaining.

20 MR. BROWN: Could we call animal control?  
21 Like I said, the last time I spoke to residents on the  
22 street, there were rats and other animals leaving the  
23 house.

24 MR. BIERYLEA: I know, right now,  
25 Councilman Brown, I have a scheduled appointment with

1 Tina Walters, the dog warden.

2 We do have five other incidents in town  
3 that the animal police officer couldn't handle. You  
4 don't do my job. I don't do yours.

5 Unfortunately, had an infection in her  
6 foot. So we're going to be addressing that. At that  
7 time, I'll talk with her and we'll see where we stand.

8 MR. SEMENZA: Any other questions for  
9 Steve? Thanks, Steve. Dave, the engineer's report,  
10 please.

11 MR. LOPATKA: Good evening. Borough  
12 engineer's report for May, 2016. First the Old Forge  
13 paving project. Agreement/contract has been executed  
14 by the Borough and by the contractors. All  
15 documentation has been provided.

16 I'll be setting up a preconstruction  
17 meeting prior to the 1st of July. Obtain a schedule  
18 from Pennsy Supply, who is the contractor. And we'll  
19 be ready to issue a notice to proceed the week of July  
20 4th.

21 Fred Street, this is kind of a repeat  
22 comment. I will be providing a cost estimate sometime  
23 towards the end of the week. I didn't get it finished.

24 But, again, our opinion was option 1 was  
25 kind of the least amount of fill. Two other options

1 were out there included quite a bit of fill that had to  
2 go in. But I will have that cost by the end of the  
3 week.

4 Rosemont, at the last meeting, I was  
5 asked to follow up. I followed up by e-mail with the  
6 owner and engineer asking questioning, requesting the  
7 review of the issue on Stone Hill Drive.

8 Contacted the owner and informed him of  
9 storm water issues and its engineer. I did hear back  
10 from the engineer who was out there and going to  
11 supposedly issue a report and a fix on that shortly.

12 I talked to him late last week. Said  
13 he's supposed to have something soon. He didn't tell  
14 me when, but he said something soon.

15 The Old Forge Police Station. Existing  
16 conditions measured in May in the area down below. The  
17 existing conditions were measured, survey was done on  
18 Monday, June 13th.

19 Based on that, I should have tomorrow or  
20 Thursday, at the latest. At which point, I would like  
21 to sit down with whoever from the Borough and I'd like  
22 to sit down, especially with the chief, to put together  
23 a sketch plan for basically what we talked about Monday  
24 when we were out there.

25 I want to go over that again with



1 everyone before we actually put the sketch together.

2 Old Forge M.S. 4 reports. I was  
3 contacted by PA DEP, Paul Barill, who runs the M.S. 4  
4 program, asking me if I had copies of the last few  
5 years of M.S. 4 reports, which M.S. 4 is the municipal  
6 storm water report.

7 Each municipality is supposed to have  
8 them done yearly. I contacted Penn Eastern, who is the  
9 former engineer and asked them if they had a copy of  
10 the previous reports.

11 I have not received anything as of this  
12 time. I actually contacted DEP again. And DEP  
13 actually said that they haven't received a report from  
14 Old Forge since 2011, which is a little bit of an  
15 issue.

16 I don't know if maybe Marylynn, I can  
17 talk with you. I don't know if you have copies of  
18 them.

19 MS. BARTOLETTI: Take a look and see.

20 MR. LOPATKA: Need to get those years in,  
21 at worst case. That's all I have. If anybody has  
22 questions for me, I can answer them.

23 MR. SEMENZA: Any questions for Dave?  
24 Thanks, Dave. Please police report.

25 CHIEF DEBURNAS: Good evening, council.

1 Only a few things. First, I received an e-mail back  
2 from the grant. They're still waiting for a meeting,  
3 supposed to be held at the end of the month on the  
4 casino money.

5 I'm not positive when it's going to be  
6 here or what they're going to tell us the amount we're  
7 going to get. But the guy said it still looks good for  
8 us.

9 Second, we just finished a grant that we  
10 received from Buckle Up. We were down significantly on  
11 our citations for violations.

12 But our DUI arrests was through the roof.  
13 We went from an average of two to three DUIs in a  
14 two-week period to almost 23.

15 And, lastly, we got a DUI checkpoint  
16 here. We had 12 violations for DUI. Seven of them  
17 were taken for blood. Other five were under. Very  
18 successful.

19 We actually shut it down because we put  
20 the DUI process on diversion. They didn't expect to  
21 have the numbers we got from them. So, center went on  
22 diversion and it was stopped at 1:45 instead of 3:00,  
23 like it was supposed to go.

24 Final thing, we just had Officer Jim  
25 McGrill go through firearm school. We have a new

1 firearm instructor through the department too. That's  
2 all I have.

3 MR. SEMENZA: Any questions for the  
4 chief? You said it was shut down early because of the  
5 high number. Twelve is a high number? I mean, I  
6 wouldn't know.

7 CHIEF DEBURNAS: Yes, for the processing  
8 center, it actually was seven, six for alcohol and one  
9 for narcotics.

10 So put them on the diversion. The last  
11 three, we had to take to the hospital. They can only  
12 process three at a time, because of the two-hour rule.

13 Once they go on the diversion, we take  
14 them to the hospital. Once the blood is drawn, we take  
15 them back to the center for prints and photos.

16 MR. SEMENZA: Thank you, Chief. I see  
17 Rick Notari, Lackawanna County. Hi Rick.

18 MR. NOTARI: Good evening, everyone.  
19 Very quickly tonight, some of the things I brought for  
20 you.

21 Again, reminding about the farmer's  
22 market voucher for seniors, June 27th at 9 a.m. at the  
23 Taylor Community Center.

24 The vouchers are first come, first serve.  
25 And there are a limited amount of vouchers available.

1 So, if anyone is interested, suggest that you get there  
2 for 9 a.m.

3 Also, our second family fun day will be  
4 July 10th from 11 to 2 at Merle Sarnowski Park up in  
5 the Lakeland area. It's a really nice park.

6 If you've never been there, it's kind of  
7 a getaway. Can be a getaway to go up there. Really  
8 some great things the park offers. And it would be a  
9 nice day there. County to give out something to eat,  
10 something to drink and some different activities for  
11 kids to enjoy.

12 Lastly, the county 3 on 3 tournament will  
13 be July 29th and 30th. Rain date of the 31st. Again,  
14 it will take place in downtown Scranton on Wyoming  
15 Avenue at the 100, 200 blocks.

16 Brochures and the registrations are on  
17 the county website at Lackawanna County dot org.  
18 Download them and fill them out and drop them off at  
19 the visitor's center or hand them to me and I'll take  
20 care of them. Any questions?

21 MR. SEMENZA: Any questions for Rick?  
22 Solicitor's report, please.

23 ATTORNEY BILL RINALDI: With regard to  
24 the PennDOT loan, I did get a verbal that DCED did  
25 approve our application to borrow the money. I should

1 have that in writing. I thought I would have it today.  
2 He said I would have it today.

3 But we didn't get it today. That will be  
4 proceeding. I will contact PennDOT to set up the loan  
5 closing.

6 I thought I would have but I don't have  
7 the Rosemont Estates agreement with PPL. It's being  
8 circulated for signatures from all the parties.

9 And I'm assuming they're going to send it  
10 to the Borough last. That's the posting of the bond  
11 and guaranteeing that they'll repair the damages from  
12 the construction work they're doing up in New Ransom.  
13 And it carries over to the borough as well.

14 The other item is just on an old issue.  
15 With regards to the two housing authorities, the one on  
16 George Street, all the roads within there are owned by  
17 the county.

18 And the one between Dunn and Kohler, that  
19 was a development that was laid out prior to 1922. And  
20 all those roads were laid out along with it.

21 So I would put -- well, figure out how to  
22 get Kohler paved.

23 MR. SEMENZA: So, Kohler would fall under  
24 the Borough, you're saying.

25 ATTORNEY BILL RINALDI: Yes.

1 MR. SEMENZA: And Eisenhower.

2 ATTORNEY BILL RINALDI: Other one is  
3 George Street. That's all county.

4 MR. SEMENZA: All county.

5 MAYOR MULKERIN: County, they've agreed  
6 to that, that it's theirs? Or is that just what you  
7 found.?

8 ATTORNEY BILL RINALDI: I think the only  
9 issue I talked to them about recently was Kohler.

10 MS. BARTOLETTI: That's been there.

11 MAYOR MULKERIN: Eisenhower Road is pretty  
12 bad as well.

13 ATTORNEY BILL RINALDI: I think they know  
14 they own those. But I can double check with them.  
15 That's all I have.

16 MR. SEMENZA: Anybody have any questions  
17 for Bill? Thanks, Bill. Marylynn, borough manager's  
18 report, please.

19 MS. BARTOLETTI: Okay. You all have my  
20 financial reports. Does anyone have any questions on  
21 anything? No. Okay.

22 We are halfway through the year now. So,  
23 if anybody wants to take a good look or have any  
24 discussions with me or any questions about any of the  
25 financial conditions, please contact me.

1                   I know a lot of people are concerned  
2 about some of the worn-out equipment at the Marian  
3 Street Park and a couple items that were damaged at  
4 Miles Street.

5                   So, I finally got all the quotations to  
6 get all that stuff fixed, so I wanted to give you a  
7 number. The items on Marian Street come to \$6,230.00  
8 to replace and Miles Street is 709.

9                   Most of it is due to wear. After the rep  
10 came and looked at it, most of it they don't think was  
11 purposely damaged or anything like that.

12                   And keep in mind that one big apparatus  
13 did come from the county and it is several years' old.  
14 It's not like we purchased it brand new.

15                   And the things that have to get fixed,  
16 our staff is going to be able to do it because it's  
17 nothing that's considered structural, so we don't have  
18 to have a special company come in and install any of  
19 it.

20                   Let's see here. I know there's questions  
21 about Miles Street and the play area. There are  
22 benches that are going to be installed there. They're  
23 just not done yet.

24                   And camp starts July 5th. Our staff is  
25 all set, ready to go. We have 32 counsellors who are

1 going to serve the days.

2 And thanks to Rick Notari, we put  
3 together a flyer that is going to be distributed at  
4 school tomorrow. Approximately 525 flyers that are  
5 going to go to the school to remind the kids in the  
6 school about camp.

7 Bill brought up about Kohler Avenue. And  
8 I would really -- I'd like to see about possibly using  
9 CDBG money instead of actual borough funds to pave  
10 Kohler Avenue, because it fits right into the criteria  
11 and we do need a project.

12 So, I mean, if everybody is into that,  
13 could do the ground work on that. Let you know how  
14 that will end up.

15 And for those who weren't here at the  
16 last meeting, just so everyone knows that we did  
17 receive \$236,000.00 in 902 recycling grants through  
18 DEP. It's a competitive grant.

19 And that's going to be used to purchase a  
20 new recycling truck and be reimbursed for the bins that  
21 we previously ordered and the recycling ramp at the DPW  
22 garage because we don't have to put up a match. That's  
23 all I have. Does anybody have any questions?

24 MS. CORDIANO: One small question. The  
25 park program, was that going to be extended from three



1 to four hours this year or no?

2 MS. BARTOLETTI: No. Kept it at three.  
3 I figured, because the kids are getting out of school  
4 later, keep it at three and maybe next year, we'll see.

5 MS. CORDIANO: Thanks.

6 MR. SEMENZA: Any other questions for  
7 Marylynn? Thanks. Mayor.

8 MAYOR MULKERIN: I don't have anything  
9 other than just taking a moment to wish Councilman  
10 Ferrett the best. I know he's had some health  
11 problems. So, that's -- I just want to wish him the  
12 best.

13 MR. SEMENZA: Go down the table.  
14 Councilman Brown.

15 MR. BROWN: Nothing.

16 MR. SEMENZA: Councilman Cordiano.

17 MS. CORDIANO: Nothing.

18 MR. SEMENZA: Councilman Rinaldi.

19 MR. RUSSELL RINALDI: No items.

20 MR. SEMENZA: Councilman Lenceski.

21 MR. LENCESKI: Nothing.

22 MR. SEMENZA: Councilman Febbo.

23 MR. FEBBO: I've been working with Steve  
24 and the Environmental Committee. We're working on  
25 Saint John's with Carl, trying to set up a meeting with

1 the Army Corp. of Engineers on that sink hole to see  
2 who's responsible for it.

3 Also been working with Steve again on  
4 cleaning up some of the blighted areas in the  
5 community, junkyards and so on that have to be in  
6 zoning.

7 I got to commend both Paul and Steve,  
8 last couple months working with them, for the  
9 outstanding jobs they have been doing.

10 Paul has been picking up the slack  
11 because of Joe McAndrew being out, working double time  
12 and keeping everything covered. Steve has really been  
13 running his butt off.

14 As he said before, it's 30 some tall  
15 grass complaints. That sounds like an insignificant  
16 amount. But when the neighbor calls ,said the neighbor  
17 next door has tall grass, he has to deal with that.  
18 That's a call. But he's really been keeping up on it.

19 As soon as somebody comes off the table,  
20 somebody else to put on there. Both of these gentlemen  
21 have been doing a super job. That's it.

22 MR. SEMENZA: Thanks. I have nothing.  
23 Right now, we'll go into public comment. Debbie  
24 DeSando.

25 MS. DESANDO: I'm coming to you today to

1 speak in regard to the proposed LERTA that is now  
2 before council.

3 As I hope you all know, the school  
4 district approved this agreement at a prior school  
5 board meeting.

6 The school board has overwhelmingly  
7 approved the agreement because we feel it is a positive  
8 project for the district.

9 The decision was not made lightly. In  
10 the spirit of cooperation, I ask you to respect the  
11 decision made by the district and respect the judgement  
12 of our board of directors.

13 We took the time to research the  
14 proposal, alter the tax relief requested and consider  
15 the future impact on the school district, including the  
16 potential impact on enrollment and tax revenue.

17 The matter now moves to council for your  
18 approval. Your approval should be based on the impact  
19 this development will have on Borough finances.

20 Specifically, your decision should be  
21 based on the revenue generated by new construction in  
22 our town.

23 The impact on the school district is not  
24 something for you to base your decision on as it calls  
25 into the purview of the school directors, who were

1 elected to govern the school district.

2           Whether or not the council approves this  
3 agreement needs to be based on council's concern as is  
4 your elected duty.

5           The governance of the school district is  
6 the charge of the school board, and as such, we have  
7 made our decision. Please feel free to ask us any  
8 questions. Thank you. I appreciate your  
9 consideration.

10           MR. SEMENZA: Does anyone have any  
11 question?

12           MR. RUSSELL RINALDI: Deb, I mean, you  
13 stated in your letter already, but I know that council,  
14 when it was first brought back in November before us  
15 and it came to you guys, and council was concerned  
16 about -- I mean, I know you stated we shouldn't be, but  
17 council was concerned about the school district.

18           And we understand that you're the school  
19 board. I see a few more school board members here.  
20 That was -- I thought about it. Councilman Lenceski  
21 brought it up and I think some of the other council did  
22 too. You guys are comfort with that? I know you  
23 stated. I'm asking.

24           MS. DESANDO: We are. We've actually  
25 done our research and we've actually authored the

1 proposal from the original proposal.

2 As you probably know, because I invite  
3 you to the first meeting we were at, the original  
4 intent was 100 percent tax abatement for ten years.  
5 And we have adhered to that so we get some tax relief  
6 starting in I believe it's year three.

7 We feel that that's fair. We feel it's a  
8 property that, right now, is not bringing us any tax at  
9 all. And the proposed development, as we see it, is  
10 not going to be a burden on the school district.

11 We actually need students to have our  
12 school district run. So, I understand that there might  
13 be some concern. But we can't -- our enrollment is  
14 declining at this point.

15 And while we don't want to overburden  
16 with hundreds of kids, we still need children to keep  
17 our school district going.

18 So, we are very comfortable that the  
19 proposal, as it stands, is not going to overburden the  
20 school district. And we're comfortable with the way it  
21 stands.

22 MR. RUSSELL RINALDI: What was the vote,  
23 the decision? How many voted for it?

24 MS. DESANDO: There were seven school  
25 board directors present at the meeting. And it was a

1 6 to 1 vote.

2 MR. RUSSELL RINALDI: That's all I have.

3 MS. DESANDO: Anybody else? Thank you.

4 I appreciate your consideration. Thank you now for  
5 letting me speak this evening.

6 MR. LENCESKI: Thank you, Deb. Right  
7 now, I'm going to go into new business. On new  
8 business is the LERTA for Birchwood Estates LLC.

9 George, somebody want to step up to the  
10 podium and address everybody?

11 MR. FRED RINALDI: My name is Fred  
12 Rinaldi and I represent Birchwood Estates Realty. And  
13 I think -- at least I tried to answer everyone's  
14 questions over the past several months.

15 Thankfully tonight we have with us George  
16 Kelly to say a few words on behalf of Lackawanna  
17 County.

18 But I think, tonight, what this is about  
19 is, it's a vote for economic development. It's a vote  
20 for growth. It's a vote for to increase your tax base,  
21 you know, and it's a vote for the sustainability of Old  
22 Forge School District. That's what you're voting for  
23 tonight.

24 It's not a vote for George Dunbar.  
25 You've all seen his work and what he does in towns. But

1 I just ask everyone just to please consider that you're  
2 here to try and promote economic development.

3 There's not many people that are coming  
4 to Old Forge willing to risk 25 million dollars.  
5 That's all.

6 If the council has any questions, I'll be  
7 happy to answer them. And I know George Kelly will be  
8 happy -- if I can't answer them, I know George can.

9 MR. SEMENZA: Anybody have any questions  
10 for Mr. Rinaldi or Mr. Kelly?

11 MR. FRED RINALDI: If I could have George  
12 speak.

13 MR. GEORGE KELLY: Last time Freddie  
14 asked me to speak, the school board actually voted on  
15 not giving much of an abatement. So he has courage.  
16 Going for a hundred percent for ten years, and you  
17 know, it was a lot of dialogue and a lot of  
18 conversation.

19 I informed the school board that you  
20 don't have to give a hundred percent. You can do  
21 something that works for you as a community. And  
22 that's why you have declining schedules. And everyone  
23 will have taxes, and you'll see some tax benefit three  
24 years out of the gate, where many communities give a  
25 full 100 percent in ten years.

1           With LERTA, it's a process. Go through  
2 very quickly in case anyone doesn't know. Typically,  
3 the planning commission, zoning is going to say, this  
4 property is deteriorated or this neighborhood is  
5 deteriorated, meaning it's vacant, unused.

6           And there's about ten different criteria  
7 that can be used to declare a property deteriorated,  
8 blighted is interchangeable with deteriorated.

9           After the recommendation is made to have  
10 this property or series of properties become  
11 deteriorated, it's up to council to decide what are the  
12 boundaries of that and whether or not you want to  
13 actually do an ordinance or a resolution to make that  
14 happen. That's the first step.

15           After the step is taken to declare this  
16 deteriorated, the next step is for all the taxing  
17 bodies to decide, do they want to participate. And  
18 typically, with LERTA, I've done them across a handful  
19 of municipalities in Lackawanna County.

20           The school board is usually the biggest  
21 challenge. That has the most impact with students and  
22 you hear a lot of issues there. So, usually the school  
23 board is the starting point.

24           I just did a project in Dunmore. And  
25 council was hung up for a year and a half over a sewer



1 line and whether or not the sewer line is going to flow  
2 north and south. And we had to work through those  
3 things.

4 Moscow, downtown, they declared the whole  
5 downtown area a LERTA district. They wanted to  
6 encourage people to come in and willing to forego some  
7 taxes upfront to get those and reap those rewards later  
8 on. Seems to be a very successful program.

9 Getting back to requirements after the  
10 property is declared deteriorated, then you can build  
11 on whether or not to go forward with LERTA.

12 Typically, the county is going to go  
13 along with what you decide. So, if the school board  
14 and the Borough says we want it, we'll go along and  
15 honor your wishes.

16 As the director of the Economic  
17 Development Planning, I'm also the executive director  
18 of the Regional Planning Commission, Redevelopment  
19 Authority, Industrial Development Authority, a bunch of  
20 other hats, typically, what you have is a public  
21 hearing. Really have to give the public an opportunity  
22 to speak.

23 That's why we usually have a meeting such  
24 as this or a special meeting where you have the public  
25 come back and, actually, you have experts that are

1 knowledgeable about the LERTA process and benefits of  
2 it, to give some information and also answer any  
3 questions.

4 So, we basically followed the steps,  
5 walked through the steps that have to be taken. And  
6 now it's just a matter if you decide to say this is  
7 deteriorated because it falls on your lap.

8 And the next step is to go ahead and pass  
9 the resolution following the school board and the  
10 county would follow behind. Any questions?

11 MR. SEMENZA: Questions for George?  
12 George, I have a question. Tonight we'll be voting on  
13 the LERTA itself, not on what Mr. Dunbar is going to be  
14 putting on the property, correct?

15 MR. KELLY: That's correct.

16 MR. SEMENZA: Okay. My question is, he  
17 already has a proposal of generally what you want to  
18 do, George?

19 MR. DUNBAR: Yeah, we're working on that  
20 now, yes.

21 MR. SEMENZA: At the point in time when  
22 he's ready to go, what if it's something that he meets  
23 all the guidelines and everything, something we're not  
24 ready to do?

25 MR. KELLY: I've had that question from

1 several communities. And what if we approve this LERTA  
2 tonight and what if he changes the plans or the  
3 intended use of the investment.

4 MR. SEMENZA: Exactly.

5 MR. KELLY: I've seen that in Taylor,  
6 doing a TIF, which is a little bit more money upfront,  
7 a lot more risk upfront, where the developer says, I  
8 was doing rental, but now I want to do condos. I want  
9 to sell units.

10 So, again, we had to go through the whole  
11 process. But that still has to go before the planning  
12 commission. If George is going to change anything,  
13 they'll have the final say on what goes in there.

14 Once you agree to do the LERTA, unless  
15 you get all the taxing bodies come back and say we  
16 don't like what he's doing, we'll rescind, you have to  
17 go to the school board, county, and yourselves and  
18 rescind the agreement.

19 And the agreement takes place if we  
20 decide or you decide today that you wanted to do it,  
21 the county will do it at the next commissioners'  
22 meeting.

23 There's ten years that he has an  
24 opportunity to develop this property from the date of  
25 certificate of occupancy.

1           So, if he gets a CO in September, two  
2 years from now, January then you'll have all  
3 reassessments and work with LERTA in that process.

4           So, it's just maybe a little longer than  
5 ten years, but only for a ten-year period.

6           MR. FRED RINALDI: Councilman Semenza,  
7 that was part of the negotiation, the school district  
8 had the same valid point.

9           What if he changes? And part of the  
10 resolution before you, which mirrors the school  
11 district, the same one that will be submitted to  
12 Lackawanna County.

13           We say it's going to consist of one and  
14 two-bedroom apartments and consisting of approximately  
15 18 buildings. Because, at that time, you weren't sure  
16 if it was 18 or 20, depending on what the engineer came  
17 back with. So that is part of your resolution  
18 specifically in there.

19           And that was the school district's  
20 concern. So, it's a valid point that you had that, you  
21 know, we are going to construct one and two-bedroom  
22 apartments, consisting of 18 buildings.

23           So, it is part of your resolution and  
24 part of the resolution that the school district passed  
25 and part of the resolution that we'll be bringing in

1 front of Lackawanna County.

2 MR. KELLY: With the County, we all agree  
3 on the same terms. Wouldn't be any changes.

4 MR. SEMENZA: Do all three governing  
5 bodies have to agree to the same -- like, the same  
6 terms in this resolution?

7 MR. KELLY: With the County  
8 Commissioners' approval, we usually will follow suit of  
9 both taxing bodies.

10 MR. SEMENZA: I take it the Borough  
11 would have to go with year 100, year 200, so on and so  
12 forth and exactly what the school board had --

13 MR. KELLY: All have to have the same  
14 terms. I've had people say, I can get the school board  
15 support -- not support but other locations. And it's  
16 typically all or nothing.

17 So the County could elect just to  
18 participate without the Borough. But what I've seen so  
19 far in discussions with the administration is that  
20 we're willing to forego our taxes for the benefit of  
21 Old Forge, as long as Old Forge is willing to.

22 MR. SEMENZA: Any questions for George  
23 Kelly?

24 MR. KELLY: Thank you.

25 MR. SEMENZA: At this time, the Chair

1 would make a motion or call for a motion for resolution  
2 granting Local Economic Revitalization Tax Assistance  
3 to a 22.19 acre site located at West Milwaukee Avenue,  
4 identified as pin number 17503-020-004, owned by  
5 Birchwood Estates Realty LLC. and setting forth amounts  
6 of tax abatements for each year for ten years.

7 MR. BROWN: Mr. Chairman --

8 MR. SEMENZA: Before that motion goes,  
9 could I ask for a brief executive session with council?

10 ATTORNEY BILL RINALDI: Sure.

11 (Whereupon, council went into executive  
12 session and subsequently returned.)

13 MR. SEMENZA: Back on the record.  
14 Thank you, ladies and gentlemen. I apologize. The  
15 Chair, before we left for a brief executive session,  
16 called for a motion.

17 I'm going to ask to retract that motion.  
18 And the Chair is going to ask for a motion to table  
19 this resolution until two weeks from now, July 5th,  
20 until our finance committee and long-range committee  
21 can meet and further discuss possibly working with Mr.  
22 Dunbar to try to change the terms of the LERTA. Motion  
23 on the table.

24 MR. BROWN: I have a question. I would  
25 just like to interject. I'm going to put some people

1 on the spot in the audience real quick.

2 And, Steve, you're here. Quick question.  
3 This was passed by the Zoning Board to deem this  
4 property a blighted property, correct? Or was it the  
5 planning commission?

6 MR. BIERYLA: Planning.

7 MR. BROWN: Planning commission. Mr.  
8 Piccolini, I know you're on the planning commission. I  
9 know you're here tonight. I don't mean to put you on  
10 the spot. Did you feel the property was a blighted  
11 property?

12 MR. PICCOLINI: Undoubtedly. Once George  
13 explained to us what a blighted property was, it met  
14 every aspect of being a blighted property.

15 MR. BROWN: Do have a concept or should I  
16 -- could I word it, do you and other members have a  
17 concept or an idea of what's going to go there?

18 MR. PICCOLINI: Yes. We've had two  
19 preliminary hearings with the preliminary plans for the  
20 project.

21 MR. BROWN: Okay. So you've seen two  
22 plans?

23 MR. SEMENZA: Excuse me, Councilman  
24 Brown. I'm sorry to interrupt, Mr. Piccolini. But  
25 what does this have to do with the Borough

1 renegotiating in terms of the agreement?

2 MR. BROWN: I'm going to get there, Mr.  
3 Semenza. Miss DeSando, you gave your side as the  
4 director, the president of the school board.

5 Mr. Rinaldi, as a former council member  
6 and as the business manager of the school, you oversee  
7 the finances of the district, correct?

8 MR. FRED RINALDI: Correct.

9 MR. BROWN: Could I have some insight on  
10 your personal opinion of this deal?

11 MR. FRED RINALDI: Personal opinion of  
12 the LERTA concept or the --

13 MR. BROWN: The LERTA concept.

14 MR. FRED RINALDI: Well, I cannot speak  
15 for the school board, but I will speak personally as  
16 both a business manager and a former councilman.

17 When we explored this concept with Mr.  
18 Dunbar, we soon realized that we're not in a position  
19 to turn down economic development.

20 I sat at the table in your positions  
21 before. But it was a little different when I was there  
22 because we looked for ways to make ends meet. The only  
23 way we can do that was to levy taxes.

24 Not to get too far off the topic, but the  
25 motion used to read, to pay the invoices when funds



1 became available.

2           You don't know what that's like. But  
3 that's the way the motion used to read in this room,  
4 when funds became available, because we didn't have the  
5 funds month to month to pay the bills.

6           At the school district, we're in kind of  
7 a similar situation. When we explored this concept, I  
8 think the consensus, by and large, with the school  
9 district was, we need more economic development.

10           We cannot raise more revenue by selling  
11 more products. Our only way to increase our revenue is  
12 through our ability to levy taxes.

13           If we can increase revenue without having  
14 to raise a single mill, we want to explore that option.  
15 And what this board did is instead of taking it at 100  
16 percent of abatement for ten years, we worked with Mr.  
17 Dunbar and Mr. Fred Rinaldi to find a structure that  
18 worked for their plan.

19           I don't know if council knows this, but  
20 Mr. Dunbar's financing is contingent on LERTA being  
21 approved.

22           So, if this goes on too long or you try  
23 to structure something differently, in fact, I believe  
24 Mr. Dunbar and, Fred, you can correct me if I'm wrong,  
25 there's a certain percentage of tax abatement that your

1 lender is requiring; is that correct?

2 MR. FRED RINALDI: Our project is  
3 contingent on the LERTA, Councilman Semenza. And as  
4 far as financing, this project is not going to affect  
5 the finance of the Borough.

6 You're still going to receive the \$241.00  
7 that you receive now. So, it's going to have -- and  
8 second of all, it's a private development.

9 Roads are going to be private. It's  
10 going to be private garbage. So there's no Borough  
11 services other than, obviously, police services,  
12 ambulance services, if there's a fire, you know, those  
13 services.

14 So, as far as an impact on the Borough,  
15 and, you know, why we're here tonight is we're up  
16 against a deadline with our bank.

17 We found a community lender that's  
18 willing to loan us the money, to invest this amount,  
19 you know, of approximately 25 million dollars in to the  
20 Borough of Old Forge.

21 So, I ask, you know, that you consider  
22 the request tonight because it's not going to change  
23 the finances of the Borough. You're still going to  
24 receive the amount that you receive today, that  
25 \$241.00.